

# Memorandum



**Date:** December 22, 2011  
**To:** Distribution  
**From:** Earl Jones, Deputy Clerk  
**Subject:** Resolutions

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Attached are resolution Z-15-11 and the list from the Board of County Commissioners meeting on December 8, 2011.

**Please note that resolution Z-16-11 will be distributed at a later date.**

Any missing resolutions must be reported to this office (ext. 2129) no later than five (5) days from the date of this memo.

## Attachments

Distribution: Agenda Coordinator's Office - MDC - 11th Floor  
Clerk of the Board – Linda Cave, MDC -17th Floor  
Property Appraiser – Eugenio Alonso/Angela Hall, MDC - 8th Floor

CLERK OF THE BOARD  
2011 DEC 22 PM 4: 02  
CLERK OF THE BOARD  
MIAMI-DADE COUNTY, FLA.  
#1



**BOARD OF COUNTY COMMISSIONERS**

Hearing Date: DECEMBER 8, 2011

**I The Board took the following action on the items listed below**

08-9-CZ8-1	SOLID OAKS, LLC Remanded to the CZAB for further review with leave to amend	05-336 Z-15-11	19-52-42
11-12-CC-1	VALENCIA SCHOOL DEV. LLC Approved per staff recommendation	11-75 Z-16-11	02-56-39

Approved: \_\_\_\_\_ Mayor

Veto: \_\_\_\_\_

Override: \_\_\_\_\_

**RESOLUTION NO. Z-15-11**

WHEREAS, **SOLID OAKS, L. L. C.** applied to Community Zoning Appeals Board 8 for the following:

- (1) RU-3 and BU-1 to RU-4M
- (2) UNUSUAL USE to permit a home for the aged.
- (3) Applicant is requesting to permit a floor area ratio (F.A.R.) of 1.18 (.95 allowed).

Upon a demonstration that the applicable standards have been satisfied, approval of request #3 may be considered under §33-311(A)(15) (Alternative Site Development Option for Multiple-Family use) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Residences at Solid Assited (sic) Living," as prepared by Arkidesign, Inc., Sheet 1 dated stamped received 1/22/08 and Sheets L-1 to L-5 dated stamped received 5/8/08 and the remaining sheets dated stamped received 1/4/08 and for a total of 13 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The north 130.663' of the south 394.663' of the SE ¼, of the NE ¼, of the NW ¼ of Section 19, Township 52 South, Range 42 East, less the east 35' thereof.

LOCATION: 14752 N.E. 6 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, a public hearing of Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 8 that the requested

district boundary change to RU-4M (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requested unusual use to permit a home for the aged (Item #2) and the request to permit a floor area ratio (F.A.R.) of 1.18 (Item #3) would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested unusual use (Item #1) would have an adverse impact upon the public interest and should be denied without prejudice, and that the twelve months re-filing period should be waived, and said application was denied without by Resolution No. CZAB8-2-09, and

*WHEREAS, SOLID OAKS, L. L. C.* appealed the decision of Community Zoning Appeals Board 8 to the Board of County Commissioners for the following:

- (1) RU-3 and BU-1 to RU-4M.
- (2) UNUSUAL USE to permit a home for the aged.
- (3) Applicant is requesting to permit a floor area ratio (F.A.R.) of 1.18 (.95 allowed).

Upon a demonstration that the applicable standards have been satisfied, approval of request #3 may be considered under Section 33-311(A)(15) (Alternative Site Development Option for Multiple-Family use) or under Section 33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Residences at Solid Assisted (sic) Living," as prepared by Arkidesign, Inc., sheet A-1 dated stamped received 1/22/08 and sheets L-1 & L-5 dated stamped received 5/8/08 and the remaining sheets dated stamped received 1/4/08, consisting of a total of 13 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The north 130.663' of the south 394.663' of the SE ¼, of the NE ¼, of the NW ¼ of Section 19, Township 52 South, Range 42 East, less the east 35' thereof.

LOCATION: 14752 N.E. 6 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant had requested a remand of the application back to Community Zoning Appeals Board 8, and

WHEREAS, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 8 and after having given an opportunity for interested parties to be heard, it is the opinion of the Board of County Commissioners, Miami-Dade County, Florida, to vacate Resolution CZAB8-2-09 and to remand the application back to Community Zoning Appeals Board 8, and

WHEREAS, a motion to vacate Resolution CZAB8-2-09 and to remand the application back to Community Zoning Appeals Board 8 was offered by Commissioner Jean Monestime, seconded by Commissioner Rebecca Sosa, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Barbara J. Jordan	aye
Lynda Bell	aye	Jean Monestime	aye
Esteban Bovo, Jr.	absent	Dennis C. Moss	aye
Jose "Pepe" Diaz	absent	Rebecca Sosa	aye
Audrey M. Edmonson	aye	Sen. Javier D. Souto	aye
Sally A. Heyman	absent	Xavier L. Suarez	aye
	Joe A. Martinez		aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the Resolution CZAB8-2-09 is vacated and that the application is hereby remanded to Community Zoning Appeals Board 8.

BE IT FURTHER RESOLVED that Resolution No. CZAB8-2-09 is hereby null and void.

The Director is hereby authorized to make the necessary upon the maps and records of the Miami-Dade County Department of Sustainability, Planning and Economic Enhancement.

***THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED*** this 8<sup>th</sup> day of December, 2011, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 08-09-CZ8-1

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HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By CHRISTOPHER AGRIPPA  
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 22<sup>ND</sup> DAY OF DECEMBER, 2011.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Deputy Clerk's Name, as Deputy Clerk for the Miami-Dade County Department of Sustain as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-15-11 adopted by said Board of County Commissioners at its meeting held on the 8<sup>th</sup> day of December 8, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 9<sup>th</sup> day of January, 2012.



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Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Permitting, Environment,  
and Regulatory Affairs

SEAL

